JAN 0 6 2006 BE OCKET No.: 113019.179US2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ke-Wen DONG et al.

Serial No.: 09/829,073 : APPLICATIONS BRANCH

Filed: April 9, 2001

For: HUMAN ZONA PELLUCIDA PROTEIN 3 AND USES THEREOF

REQUEST FOR REFUND UNDER 37 CFR 1.28(a) AND ASSERTION OF SMALL ENTITY STATUS UNDER 37 CFR 1.27(c)

Honorable Commissioner for Patents Alexandria, VA 22313-1450

Sir:

Applicant was erroneously established as a large entity for the present application. Applicant hereby claims small entity status.

The Commissioner is hereby authorized to credit the excess payment to Deposit Account No. 08-0219. The Commissioner is also hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,

Wilmer Cutler Pickering Hale and Dorr LLP

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Date: 6 JANUARY 2006

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